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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/617,773

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Ryoko Miyachi

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7590

06/30/2006

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EXAMINER

CHOW, CHARLES CHIANG

ART UNIT

PAPER NUMBER

2618

DATE MAILED: 06/30/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>		<b>Applicant(s)</b>	
	10/617,773		MIYACHI ET AL.	
	<b>Examiner</b>		<b>Art Unit</b>	
	Charles Chow		2618	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 25 May 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 5-13 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 5,8 and 9 is/are rejected.
- 7) ☒ Claim(s) 6,7 and 10-13 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>3/3/2005</u> . | 6) <input type="checkbox"/> Other: _____  |

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### **Detailed Action**

1. This office action is for amendment received on 5/25/2006.

### **Detailed Action**

#### ***Title***

2. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The current title, "Cellular Mobile phone", is not descriptive for the key features of the invention, for the key features of transmitting, notification, of measured terminal voltage & current and receiving notification of calculated, updated, available time for displaying on mobile phone

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Jung (US 6,484,110 B1) in view of Singleton (US 6,501,949 B1).

**For claim 5**, Jung teaches a cellular mobile phone [ mobile station in abstract, col. 3, lines 29-34] which is driven by a battery 160 [col. 1, lines 32-33],

a control unit measuring the terminal voltage and current of the battery [ microprocessor 182, for measuring battery voltage & current 49, col. 4, line 53-64; for calculating available time, S105 for the cellular mobile phone; col. 4, lines 59-64],

wherein the device [mobile station] has calculated the available time while updating when necessary, data which indicates remaining capacity of the battery in

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terms of terminal voltage of the battery [while looping back from S108 to S103 in the loop, for reading, updating, capacity mAh & battery terminal voltage data indicating the capacity at S103, in order to recalculate the available time, after a preset time in S108, Fig. 4, col. 4, lines 49 to col. 5, line 9],

a display unit [LCD window 194] for displaying thereon the available time [ S106, Fig. 4, col. 5, lines 12-20].

Jung fails to teach further features in this claim.

Singleton teaches a transmit/receive unit 58 for providing an external device with notification of the measured information, the power source capacity [ the external device, mobile station 12, has transmit/receive 58 for remotely transmitting the measured, calculated, power source capacity information to network 10; col. 4, line 3 to col. 5, line 10 & col. 5, line 31-50; the transmitting of the measured voltage & current of the mobile power source in col. 8, lines 30-38; the power source capacity contains the information for calculating of the available time]; and

the receiving notification of the available time for the cellular mobile telephone [ the wireless network analyzes the received available power source status information, the span, available time, of the power source in col. 1, lines 46-55, for the emergency call situation, col. 2, lines 11-19; the external mobile device calculates the power source capacity, the time span of power source & send it to the mobile station for display]. Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to modify Jung's with Singleton's calculated power source capacity & sending remotely of the calculated power source capacity of the mobile station for analyze of available time, in order to remotely providing the calculated available power source information for notifying of the available time & displaying it.

4. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Jung in view of Singleton and Tuttle et al. (US 6,078,791).

**For claim 8,** Jung teaches a cellular mobile phone [ mobile station in abstract, col. 3, lines 29-34] which is driven by a battery 160 [col. 1, lines 32-33], a control unit measuring the terminal voltage and current of the battery [ microprocessor 182, for measuring battery voltage & current 49, col. 4, line 53-64; for calculating available time, S105 for the cellular mobile phone; col. 4, lines 59-64], wherein the device [mobile station] has calculated the available time while updating, when necessary, data which indicates remaining capacity of the battery in terms of terminal voltage of the battery [while looping back from S108 to S103 in the loop, for reading, updating, capacity mAh & battery terminal voltage data indicating the capacity at S103, in order to recalculate the available time, after a preset time in S108, Fig. 4, col. 4, lines 49 to col. 5, line 9], means for having the available time displayed [ the LCD window 194, for displaying the available time, S106, Fig. 4, col. 5, lines 12-20].

Jung fails to teach further features in this claim.

Singleton teaches a transmit/receive unit 58 for providing an external device with notification of the measured information, the power source capacity [ the external device, mobile station 12, has transmit/receive 58 for remotely transmitting the measured, calculated, power source capacity information to network 10; col. 4, line 3 to col. 5, line 10 & col. 5, line 31-50; the transmitting of the measured voltage & current of the mobile power source in col. 8, lines 30-38; the power source capacity contains the information for calculating of the available time]; and

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the receiving notification of the available time for the cellular mobile telephone [ the wireless network analyzes the received available power source status information, the span, available time, of the power source in col. 1, lines 46-55, for the emergency call situation, col. 2, lines 11-19; the external mobile device calculates the power source capacity, the time span of power source & send it to the mobile station for display]. Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to modify Jung's with Singleton's calculated power source capacity & sending remotely of the calculated power source capacity of the mobile station for analyze of available time, in order to remotely providing the calculated available power source information for notifying of the available time & displaying it.

Jung & Singleton fail to teach the semiconductor integrated circuit for a cellular telephone which driven by a battery.

Tuttle et al. [hereafter as Tuttle] teaches these feature [ the integrated circuit 11 for transceiver in Fig. 1 is driven by batter 2-3], in order to minimize the transceiver of the transceiver with integrated circuit, with thin battery [abstract]. Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to modify Jung & Singleton with Tuttle's thin battery for integrated transceiver circuit, in order to minimized the size.

5. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Jung in view of Singleton, as applied to claim 5 above, and further in view of Sklovsky (US 6,710,578 B1).

**For claim 9,** Jung & Singleton fail to teach the phone comprising a control unit for exercising control in order to reduce, in accordance with the magnitude of

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remaining available capacity of the battery, the number of times a process for making a backup of user data is performed.

Sklovsky teaches these features [ the radiotelephone 102, Fig. 1, having control unit processor 116 for exercising control steps in Fig. 2/Fig. 4, to restrict operation mode, abstract, to select the operation mode based on the remaining battery capacity, col. 5, lines 40-63; the not to save user internal data using radio communication mode, for the data backup, based on battery capacity in col. 6, lines 20-34 ], in order to extend the battery lifetime for further usage [col. 2, lines 4-7] by reducing the power consumption [col. 1, lines 6-10]. Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to modify Jung, Singleton with Sklovsky's reducing the saving user data, in order to extend the battery lifetime.

### Claims Objection

6. Claims 6-7, 10-13 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The cited prior arts fail to teach the notifying the external device of the detected temperature so that the data that indicates the remaining capacity is corrected by the external device in accordance with the detected temperature [claim 6]; the notifying the external device of a radio wave receiving condition in the cellular mobile phone so that the available time for mobile phone is calculated by external device base on the magnitude of the battery current which is required in accordance with the radio wave receiving condition in the cellular mobile phone [claim 7];

The cited prior arts fail to provide the proper reason to combine four references for the features in claims 10-13, the Jung, Singleton, Sklovsky with **Gold et al. (US**

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**6,785,786 B1)** for claim 10; the Jung, Singleton, Sklovsky with **Mansfield (US 6,693,996 B2)** for claim 11; the Jung, Singleton, Sklovsky with **Tso (US 2003,0023,673 A1)** for claim 12; the Jung, Singleton, Tuttle with Sklovsky for claim 13.

### **Response to Arguments**

7. Applicant's arguments with respect to claim 5-13 have been considered but are moot in view of the new ground(s) of rejection.

From the further search of the prior arts, claims 5, 8 rejected in view of Jung-110B1 and new reference **Singleton (US 6,501,949 B1)**.

Singleton teaches a transmit/receive unit 58 for providing an external device with notification of the measured information, the power source capacity [ the external device, mobile station 12, has transmit/receive 58 for remotely transmitting the measured, calculated, power source capacity information to network 10; col. 4, line 3 to col. 5, line 10 & col. 5, line 31-50; the transmitting the measuring of the voltage & current of the mobile power source in col. 8, lines 30-38; the power source capacity related to the available time]; and

the receiving notification of the available time for the cellular mobile telephone [ the wireless network analyzes the received available power source status information, the span, available time of power source in col. 1, lines 46-55, for the emergency call situation, col. 2, lines 11-19; for the external device to calculate the available power capacity, time span of power source, & send it to the mobile station for display]. Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to modify Jung' calculated battery available time with Singleton's sending remotely of the calculated power source capacity of the mobile station, in

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order to providing the calculated available time remotely & having the notified available time to be displayed on the mobile station.

Jung teaches a cellular mobile station [abstract, col. 3, lines 29-34] driven by a battery 160; a control unit 182 measuring the terminal voltage and current of the, col. 4, line 53-64; for calculating available time, S105 for the cellular mobile phone; col. 4, lines 59-64];

the mobile station calculated the available time while updating when necessary, data which indicates remaining capacity of the battery in terms of terminal voltage of the battery [while looping back from S108 to S103 in the loop, for reading, updating, capacity mAh & battery terminal voltage data indicating the capacity at S103, in order to recalculate the available time, after a preset time in S108, Fig. 4, col. 4, lines 49 to col. 5, line 9]; a display unit [LCD window 194] for displaying thereon the available time [ S106, Fig. 4, col. 5, lines 12-20].

### ***Conclusion***

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles C. Chow whose telephone number is (571) 272-7889. The examiner can normally be reached on 8:00am-5:30pm.  
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Urban can be reached on (571) 272-7899. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR

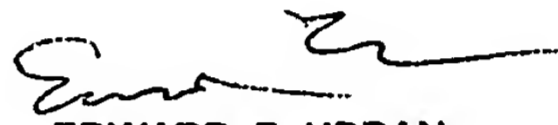
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only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>.

Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Charles Chow L.C.

June 12, 2006.

  
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